

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2009-005838-001 DT

04/04/2011

HONORABLE CARI A. HARRISON

CLERK OF THE COURT
V. Morales
Deputy

STATE OF ARIZONA

PAUL EDWARD KITTREDGE
KELI B LUTHER

v.

DANIEL RAY GUKEISEN (001)

LARRY L DEBUS
CHARLES E SEARS

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY SEVEN

| | |
|-----------------------|------------------------------|
| State's Attorney: | Paul Kittredge |
| Defendant's Attorney: | Larry Debus Charles Sears |
| Defendant: | Present |
| Court Reporter: | Terry Masciola |

Keli Luther is present on behalf of the victim's family

10:24 a.m. Trial to jury continues from March 30, 2011.

The jury is not present.

The Court has received Defendant's Memorandum in Support of Jury Instruction
Pursuant to A.R.S. 13-2802.

Defense counsel makes a record regarding the Memorandum.

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The Court has received Defendant's Motion for Judgment of Acquittal.

Oral argument is presented.

THE COURT FINDS that there is substantial evidence and testimony presented and that this matter should go to the jury for decision; therefore,

IT IS ORDERED denying Defendant's Motion for Judgment of Acquittal

Jury instructions are finalized.

10:33 a.m. Court stands at recess.

10:43 a.m. Court reconvenes with respective counsel and the Defendant present. The jury is present.

Court Reporter: Terry Masciola

Defendant's case:

The jury is instructed as to Exhibit 109.

Defendant rests.

Final jury instructions are read by the Court to the jury.

FILED: Final Jury Instructions

Closing arguments are presented.

Jurors 5 and 1 are designated by lot as the alternate jurors.

The alternate jurors are reminded of the admonition that remains in place until deliberations are complete and are excused.

(12:10 p.m.) The jury retires in charge of sworn bailiffs to consider their verdicts. Court remains in session.

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The Court addresses the gallery regarding security issues and Court Security staff being present when a verdict has been reached.

12:13 p.m. Court stands at recess.

3:29 p.m.

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|-----------------------|---|
| State's Attorney: | Paul Kittredge (appearing telephonically) |
| Defendant's Attorney: | Larry Debus (appearing telephonically) |
| | Charles Sears (appearing telephonically) |
| Defendant: | Not Present (presence waived) |
| Court Reporter: | Debbie Croci |

The Court has received a verbal question from the jury requesting that Exhibit 148 be unsealed to allow the jury to view the drawing.

There being no objection by the parties,

IT IS ORDERED unsealing Exhibit 148.

3:30 p.m. Court stands at recess.

LET THE RECORD REFLECT that the Clerk unsealed Exhibit 148 in front of the jury panel in the jury room at the direction of the Court on this day.

4:07 p.m. Jury deliberations cease for the day and will resume **Tuesday, April 5, 2011 at 10:00 a.m.** in this division.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.